

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ARLINGTON INDUSTRIES, INC.,	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: 3:16-cv-00069-MEM
	)	
PLY GEM INDUSTRIES, INC.,	)	Honorable Malachy E. Mannion
MASTIC HOME EXTERIORS, INC.	)	
d/b/a MASTIC HOME EXTERIORS	)	
BY PLY GEM, NAPCO, INC. d/b/a	)	Jury Trial Demanded
NAPCO BY PLY GEM, and	)	
VARIFORM, INC. d/b/a PLY GEM	)	
SIDING GROUP and/or d/b/a	)	
VARIFORM BY PLY GEM,	)	
	)	
Defendants.	)	

**JOINT MOTION TO DISMISS**

Plaintiff Arlington Industries, Inc. and Defendants Ply Gem Industries, Inc., Mastic Home Exteriors, Inc. d/b/a Mastic Home Exteriors by Ply Gem, Napco, Inc. d/b/a Napco by Ply Gem, and Variform, Inc. d/b/a Ply Gem Siding Group and/or d/b/a Variform by Ply Gem (collectively “the Parties”) jointly move this Court to dismiss all claims and counterclaims raised in this action.

WHEREAS, the Parties have reached a final Settlement Agreement and Release in this action;

WHEREAS, the Parties have agreed to jointly dismiss all claims, counterclaims and affirmative defenses with prejudice, pursuant to the terms of the parties' Settlement Agreement and Release, with each party bearing its own costs and attorneys' fees.

The Parties respectfully request that the Court issue the Order of Dismissal attached to this joint motion to dismiss.

Dated: October 25, 2016

Respectfully Submitted,

By: /s/ Kathryn L. Clune  
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Inc., and Variform, Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of October 2016, a true and correct copy of the foregoing document was served via the Court's CM/ECF system and by e-mail to:

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/s/ April Marconi  
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